CITY OF LONG BEACH CITIZEN POLICE COMPLAINT COMMISSION AGENDA

Desmond Fletcher, Chair Christian Cooper, Vice Chair Leonard Adams Jr., Commissioner Dana Buchanan, Commissioner



THURSDAY, MAY 9, 2019 333 W. OCEAN BOULEVARD COUNCIL CHAMBER, 5:30 PM

Veronica Garcia, Commissioner Richard Lindemann, Commissioner Dianne McNinch, Commissioner Maria Norvell, Commissioner Joni Ricks-Oddie, Commissioner

Anitra Dempsey, Executive Director

CALL TO ORDER

ROLL CALL

CONSENT CALENDAR

1. 19-024CP Recommendation to receive, file and close the following cases due to lack of evidence and/or witness cooperation or staff recommendation:

CPCC NO.	<u>ALLEGATION(S)</u>
18-062	Unbecoming Conduct
18-089	Unbecoming Conduct
18-091	Unbecoming Conduct
18-073	Unbecoming Conduct

Suggested Action: Approve recommendation.

REGULAR AGENDA

2. 19-025CP Recommendation to approve the minutes of the Citizen Police Complaint Commission Regular Meeting of Thursday, April 11, 2019.

Suggested Action: Approve recommendation.

3. 19-026CP Recommendation to receive and file City Manager's Report.

Suggested Action: Approve recommendation.

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CITY CLERK

Opportunity to address the Commission (on non-agenda items) is given to the first 10 persons who submit Speaker Cards to the City Clerk prior to 5:30 p.m. Each speaker is allowed three (3) minutes to make their comments unless that time is extended by the Chair.

EXECUTIVE DIRECTOR'S REPORT

REMARKS FROM THE CHAIR AND COMMISSIONERS

RECESS TO CLOSED SESSION

Recess to Closed Session in the Council Lounge, pursuant to Section 54957 of the California Government Code, for the purpose of consideration of personnel discipline matters.

RECONVENE FROM CLOSED SESSION

4. 19-027CP Recommendation to receive Commission's vote and refer findings to the City Manager.

Suggested Action: Approve recommendation.

PUBLIC COMMENT

Opportunity is given to those members of the public who have not addressed the Commission on non-agenda items. Each speaker is limited to three (3) minutes unless extended by the Chair.

ADJOURNMENT

I, Jonathan Nagayama, City Clerk Specialist, certify that the agenda was posted not less than 72 hours prior to the meeting.

NOTE: The Citizen Police Complaint Commission agenda, supporting documents and a video recording of the meeting are available on the Internet at longbeach.legistar.com. Agenda items may also be reviewed in the Office of the City Clerk. Persons interested in obtaining an agenda via-email should subscribe to the City of Long Beach LinkLB System at www.longbeach.gov/linklb.

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THURSDAY, MAY 9, 2019 333 W. OCEAN BOULEVARD COUNCIL CHAMBER, 5:30 PM

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CITY OF LONG BEACH CITIZEN POLICE COMPLAINT COMMISSION MINUTES

Desmond Fletcher, Chair Leonard Adams Jr., Commissioner Dana Buchanan, Commissioner Christian Cooper, Commissioner



THURSDAY, APRIL 11, 2019 333 W. OCEAN BOULEVARD COUNCIL CHAMBER, 5:30 PM

Veronica Garcia, Commissioner Richard Lindemann, Commissioner Dianne McNinch, Commissioner Maria Norvell, Commissioner Joni Ricks-Oddie, Commissioner

Anitra Dempsey, Executive Director

FINISHED AGENDA & DRAFT MINUTES

CALL TO ORDER (5:32 PM)

At 5:32 PM, Chair Fletcher called the meeting to order.

ROLL CALL (5:32 PM)

Commissioners Dana Buchanan, Christian Cooper, Richard Lindemann, Dianne Present: McNinch, Maria Norvell, Joni Ricks-Oddie and Desmond Fletcher

Commissioners Leonard Adams Jr. and Veronica Garcia **Absent**:

Also present: Anitra Dempsey, Executive Director; Patrick Weithers, Special Investigator; Terrance Pham, Special Investigator; Lloyd Cox, Commander, Long Beach Police Department; Monica Kilaita, Deputy City Attorney; Jonathan Nagayama, City Clerk Specialist; Tamela Austin, City Clerk Specialist.

1. 19-019CP Recommendation to hold an election for the position of Vice Chair of the Citizen Police Complaint Commission.

Chair Fletcher declared the nominations open for Vice Chair.

Commissioner Buchanan nominated Commissioner Cooper for Vice Chair of the Citizen Police Complaint Commission.

Commissioner Cooper spoke.

Anitra Dempsey, Executive Director, spoke.

There being no further nominations, Chair Fletcher declared the nominations closed for Vice Chair.

Commissioner McNinch spoke.

A motion was made by Commissioner Buchanan, seconded by Commissioner McNinch, to nominate Commissioner Cooper for Vice Chair of the Citizen Police Complaint Commission. The motion carried by the following vote:

Yes: 7 - Dana Buchanan, Christian Cooper, Richard Lindemann, Dianne McNinch, Maria Norvell, Joni Ricks-Oddie and Desmond Fletcher

Absent: 2 - Leonard Adams Jr. and Veronica Garcia

CONSENT CALENDAR (5:36 PM)

Passed the Consent Calendar

A motion was made by Commissioner Ricks-Oddie, seconded by Commissioner McNinch, to approve Consent Calendar Item. The motion carried by the following vote:

Yes: 7 - Dana Buchanan, Christian Cooper, Richard Lindemann, Dianne McNinch, Maria Norvell, Joni Ricks-Oddie and Desmond Fletcher

Absent: 2 - Leonard Adams Jr. and Veronica Garcia

2. 19-020CP Recommendation to receive, file and close the following cases due to lack of evidence and/or witness cooperation or staff recommendation:

CPCC NO. ALLEGATION(S)

18-069 Unbecoming Conduct
19-021 Unbecoming Conduct
18-135 Unbecoming Conduct
17-199 Dishonest

18-054	Improper Search & Unbecoming
	Conduct
18-002	Unbecoming Conduct
18-048	Unbecoming Conduct
18-046	Improper Search & Use of Force
18-052	Unbecoming Conduct &
	Harassment
18-051	Harassment & Improper Arrest
18-061	Unbecoming Conduct
18-038	Unbecoming Conduct

A motion was made to approve recommendation on the Consent Calendar.

REGULAR AGENDA (5:37 PM)

3. 19-017CP Recommendation to approve the minutes of the Citizen Police Complaint Commission Regular Meeting of Thursday, March 14, 2019.

A motion was made by Commissioner Lindemann, seconded by Commissioner Norvell, to approve recommendation. The motion carried by the following vote:

Yes: 7 - Dana Buchanan, Christian Cooper, Richard Lindemann, Dianne McNinch, Maria Norvell, Joni Ricks-Oddie and Desmond Fletcher

Absent: 2 - Leonard Adams Jr. and Veronica Garcia

4. 19-021CP Recommendation to receive and file City Manager's Report.

Anitra Dempsey, Executive Director, spoke; and introduced Patrick Weathers, Special Investigator.

Patrick Weathers, Special Investigator, spoke; and presented the staff report.

A motion was made by Commissioner Buchanan, seconded by Commissioner Cooper, to approve recommendation. The motion carried by the following vote:

Yes: 7 - Dana Buchanan, Christian Cooper, Richard Lindemann, Dianne McNinch, Maria Norvell, Joni Ricks-Oddie and Desmond Fletcher

Absent: 2 - Leonard Adams Jr. and Veronica Garcia

5. 19-022CP

Recommendation to receive and file an update on Commissioners questions or recommendations.

Anitra Dempsey, Executive Director, spoke; and presented the staff report.

Lloyd Cox, Commander, Long Beach Police Department, spoke.

Chair Fletcher spoke.

Lloyd Cox, Commander, Long Beach Police Department, spoke.

A dialogue ensued between Chair Fletcher and Lloyd Cox, Commander, Long Beach Police Department.

Vice Chair-Elect Cooper spoke.

Lloyd Cox, Commander, Long Beach Police Department, spoke.

A motion was made by Commissioner Norvell, seconded by Commissioner Ricks-Oddie, to approve recommendation. The motion carried by the following vote:

Yes: 7 - Dana Buchanan, Christian Cooper, Richard Lindemann, Dianne McNinch, Maria Norvell, Joni Ricks-Oddie and Desmond Fletcher

Absent: 2 - Leonard Adams Jr. and Veronica Garcia

PUBLIC COMMENT (5:45 PM)

Dillon Menefee spoke.

Chair Fletcher spoke.

Bonnie Neally spoke.

Chair Fletcher spoke.

Anitra Dempsey, Executive Director, spoke.

EXECUTIVE DIRECTOR'S REPORT (5:54 PM)

Anitra Dempsey, Executive Director, congratulated Vice-Chair Elect Cooper on being selected Vice Chair; and announced the date of the CPCC retreat has been changed to Friday, May 17th.

REMARKS FROM THE CHAIR AND COMMISSIONERS (5:55 PM)

Commissioner Lindemann spoke.

Anitra Dempsey, Executive Director, spoke.

A dialogue ensued between Commissioner Lindemann and Anitra Dempsey, Executive Director.

Chair Fletcher spoke.

Anitra Dempsey, Executive Director, spoke.

A dialogue ensued between Chair Fletcher and Anitra Dempsey, Executive Director.

Commissioner Lindemann spoke.

Monica Kilaita, Deputy City Attorney, spoke.

Anitra Dempsey, Executive Director, spoke.

A dialogue ensued among Commissioner Lindemann, Anitra Dempsey, Executive Director, and Monica Kilaita, Deputy City Attorney.

Chair Fletcher spoke.

Anitra Dempsey, Executive Director, spoke.

Commissioner Lindemann spoke.

Commissioner Buchanan spoke.

A dialogue ensued between Commissioner Lindemann and Commissioner Buchanan.

Anitra Dempsey, Executive Director, spoke.

Monica Kilaita, Deputy City Attorney, spoke.

Commissioner Lindemann spoke.

A dialogue ensued among Commissioner Lindemann, Anitra Dempsey, Executive Director, and Monica Kilaita, Deputy City Attorney.

Chair Fletcher spoke.

RECESS TO CLOSED SESSION (6:15 PM)

At 6:15 PM, there being no objection, Chair Fletcher recessed the meeting to Closed Session.

RECONVENE FROM CLOSED SESSION (9:41 PM)

At 9:41 PM, Chair Fletcher reconvened the meeting.

Anitra Dempsey, Executive Director, announced that the allegation of Unbecoming Conduct for CPCC Case No. 18-063 was inadvertently added to the agenda and was not heard in Closed Session.

ROLL CALL (9:41 PM)

Commissioners Dana Buchanan, Christian Cooper, Richard Lindemann, Dianne Present: McNinch, Maria Norvell, Joni Ricks-Oddie and Desmond Fletcher

Commissioners Leonard Adams Jr. and Veronica Garcia **Absent**:

6. 19-018CP Recommendation to receive Commission's vote and refer findings to

the City Manager.

Chair Fletcher reported out from Closed Session the following actions taken:

- [1] Case No. 18-072 Commissioners voted 5-1-1 on Allegation No. 1 Unbecoming Conduct and 7-0 on Allegation No. 2 Unbecoming Conduct for Officer accused;
- [2] Case No. 18-070 Commissioners voted 7-0 on Allegation Nos. 1 Unbecoming Conduct, 3 Unbecoming Conduct, 4 Unbecoming Conduct and 5 Unbecoming Conduct, and 6-1 on Allegation No. 2 Unbecoming Conduct for Officer accused;
- [3] Case No. 18-078 Commissioners voted 7-0 on Allegation Nos. 1 Use of Force and 2 Improper Arrest for Officers accused;
- [4] Case No. 18-068 Commissioners voted 7-0 on Allegation Nos. 1 Use of Force, 2 Unbecoming Conduct, and 3 Improper Detention for Officer accused;
- [5] Case No. 18-064 Commissioners voted 7-0 on Allegation Nos. 1 Use of Force and 2 Use of Force for Officer accused;
- [6] Case No. 18-076 Commissioners voted 7-0 on Allegation No. 1 Use of Force for Officer accused;
- [7] Case No. 18-063 Commissioners voted 6-1 on Allegation No. 1 Sexual Misconduct for Officer accused; and
- [8] Case No. 18-122 Commissioners voted 7-0 on Allegation No. 1 Use of Force for First and Second Officers accused.

A motion was made by Commissioner McNinch, seconded by Commissioner Cooper, to approve recommendation. The motion carried by the following vote:

- **Yes:** 7 Dana Buchanan, Christian Cooper, Richard Lindemann, Dianne McNinch, Maria Norvell, Joni Ricks-Oddie and Desmond Fletcher
- Absent: 2 Leonard Adams Jr. and Veronica Garcia

PUBLIC COMMENT (9:45 PM)

No members of the public addressed the commission.

ADJOURNMENT (9:45 PM)

At 9:45 PM, there being no objection, Chair Fletcher declared the meeting adjourned.

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CITY OF LONG BEACH CITIZEN POLICE COMPLAINT COMMISSION AGENDA

Desmond Fletcher, Chair Christian Cooper, Vice Chair Leonard Adams Jr., Commissioner Dana Buchanan, Commissioner



THURSDAY, MAY 9, 2019 333 W. OCEAN BOULEVARD COUNCIL CHAMBER/LOUNGE, 5:30 PM

Veronica Garcia, Commissioner Richard Lindemann, Commissioner Dianne McNinch, Commissioner Maria Norvell, Commissioner Joni Ricks-Oddie, Commissioner

Anitra Dempsey, Executive Director

CLOSED SESSION

Closed Session pursuant to Section 54957 of the California Government Code for the purpose of consideration of personnel discipline matters.

1. 19-028CP	<u>CPCC NO.</u> 18-201	ALLEGATION(S) Bias Based Policing	
		G	
	18-084	Bias Based Policing, Harassment, &	
		Unbecoming Conduct	
	18-099	Improper Arrest, Use of Force, &	
		Unbecoming Conduct	
	18-094	Use of Force, Improper Search, &	
			Dishonesty
	18-081	Profanity, Improper Arrest, & Use of	
		Force	
		18-080	Dishonesty & Unbecoming Conduct
	18-085	Unbecoming Conduct	
	18-088	Improper Arrest	
	18-074	Improper Search	
	18-096	Unbecoming Conduct	
		18-087	Use of Force & Unbecoming Conduct

I, Jonathan Nagayama, City Clerk Specialist, certify that the agenda was posted not less than 72 hours prior to the meeting.

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